

CHAPTER 21 BICYCLE LANE ACCOUNT (BLA)

CONTENTS

Section	Subject	Page Number
21.1	INTRODUCTION	21-1
21.2	APPROXIMATE FUNDING LEVELS	21-1
21.3	BICYCLE TRANSPORTATION PLAN	21-2
21.4	PROJECT SELECTION PROCESS	21-2
21.5	ADDITIONAL PROCEDURAL REQUIREMENTS	21-2
21.6	RELEVANT STATUTES AND GUIDELINES	21-3

EXHIBITS

Exhibit	Description	Page Number
21-A	BICYCLE TRANSPORTATION PLAN APPROVAL PROCESS	21-5
21-B	BLA PROJECT DEVELOPMENT PROCEDURES	21-7
21-C	BLA PROJECT EVALUATION SHEET	21-9
21-D	STATUTES IMPLEMENTING CALIFORNIA BICYCLE TRANSPORTATION ACT	21-11

CHAPTER 21 BICYCLE LANE ACCOUNT (BLA)

21.1 INTRODUCTION

Legislation has been passed to provide for multimodal transportation systems to combat:

- Air pollution
- Noise pollution
- Public health concerns
- Energy shortages
- Consumer costs
- Land use considerations resulting from primary reliance on the automobile for transportation

The Legislature declared that bicycle transportation is an important, low cost, and legitimate mode of transportation on public roads. Components of a successful bicycle program include engineering and designing safe facilities, educating bicyclists and the motoring public on safe and lawful use of the highways, and enforcing traffic laws.

The California Bicycle Transportation Act, enacted by Chapter 517 of the Statutes of 1993, established a bicycle transportation system designed and developed to address the functional commuting needs of the employee, student, business person, and shopper. The selection of bicycle routes within the system must consider the physical safety of the bicyclist and bicyclist's property as a major planning component, and have the capacity to accommodate bicyclists of all ages and skills.

21.2 APPROXIMATE FUNDING LEVELS

Section 2106 of the Streets and Highways Code (S&HC) transfers \$30,000 per month (\$360,000 per year) in State motor vehicle fuel tax funds to the Bicycle Lane Account (BLA) of the State Transportation Fund.

Caltrans allocates and disburses moneys from the BLA according to the following priorities:

- a) **To the Department** - the amounts necessary to administer the program, not to exceed one percent of the funds expended per year.
- b) **To counties and cities** - for bikeways and related facilities, planning, safety, and education, the remaining funds available in the account.

The Department makes a reasonable effort to disburse BLA funds in general proportion to the population with no applicant receiving more than 25 percent of the total amounts transferred to the BLA in a single year. Funds are granted to cities or counties on a matching basis that requires the Applicant to furnish a minimum of 10 percent of the total cost of constructing the proposed bikeways and related facilities. The funds may be used, when feasible, to apply for and match Federal grants or loans.

21.3 BICYCLE TRANSPORTATION PLAN (BTP)

To be eligible for BLA funds, a local agency must have a current bicycle transportation plan that complies with the following,

- After December 31, 1993 and before March 1, 1996,

The local agency governing board must adopt the plan or certify that it has been updated and complies with State law and the regional transportation plan, and

Local Agency must submit a Bicycle Transportation Plan (BTP) to the Regional Transportation Planning Agency or County Transportation Commission. The transportation planning agency must review the plan and certify that it complies with State law and the regional transportation plan.

Following regional approval, the BTP is then submitted to Caltrans OLP - Bicycle Facilities Unit (BFU) before July 1, 1996 for review and approval. (See [Exhibit 21-A](#) for greater detail of the BTP approval process.)

- Section 891.2 of the Streets and Highways Code (see [Exhibit 21-D](#)) describes the required elements of the bicycle transportation plan.

21.4 PROJECT SELECTION PROCESS

During August of each year, the BFU sends a BLA project solicitation reminder memo to DLAE.

Local Agencies are to submit their BLA project applications to the BFU. The time period for the BFU to accept applications is typically from October 1 to December 31.

The BFU reviews the projects for commuter and utilitarian value and determines if the projects are in compliance with the intent of the California Bicycle Transportation Act. BFU prepares a statewide priority list by December 31. The Districts are informed of the selected projects who in turn inform the local agencies.

A more detailed explanation of the project selection process is found in [Exhibit 21-B](#) "BLA project Development Procedures"

21.5 ADDITIONAL PROCEDURAL REQUIREMENTS

Local agencies are required to fund at least 10 percent of the project cost

Local agencies should submit applications only for those projects where the right-of-way is clear or will be clear prior to award of contract and where agreements with other groups such as railroads, utility districts, flood control districts, coastal commissions, etc., are already completed or will be completed prior to contract award.

Applications must include, as a minimum, accurate project location descriptions, and an estimate of project costs including preliminary and construction engineering, right-of-way, and construction. The estimate should include only those items for which the local agency intends to claim reimbursement. For example, if the local agency does not want to be reimbursed for preliminary engineering and/or right-of-way, these items should be shown as zero costs. A detailed estimate is not needed, but the BFU needs enough information to ensure that non participating items, such as landscaping, are not included.

The project must conform to the minimum design standards for bikeways in Chapter 1000 of Caltrans' *Highway Design Manual*

BLA projects approved for funding, the local agency must provide plans and specifications to the BFU prior to advertising.

21.6 RELEVANT STATUTES AND GUIDELINES

Senate Bill 1095, implemented by Chapter 517 of the Statutes of 1993, added Chapter 8, Non Motorized Transportation, to Division 1 of the Streets and Highways Code. Article 1 of that chapter discusses the general provisions of non-motorized transportation. Article 2 describes the requirements of the Department in correlation with non-motorized transportation facilities. Article 3, entitled the California Bicycle Transportation Act, covers the provisions that pertain to the BLA. Section 891.2 requires a city or county BTP to include eleven new elements. Section 894.2 requires the Department, in cooperation with local agencies, to prepare guidelines to administer the BLA program. In Exhibit 21-D are the statutes listed above. This chapter fulfills the requirements for guidelines to administer the BLA program.

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BICYCLE LANE ACCOUNT**BICYCLE TRANSPORTATION PLAN APPROVAL PROCESS**

RESPONSIBILITY		ACTION
LOCAL AGENCY	1-	Develops Bicycle Transportation Plan (BTP). Local agency's governing body approves BTP. Submits BTP to Regional Transportation Planning Agency (RTPA).
RTPA	2-	Review and approves BTP. Returns approved BTP to local agency.
LOCAL AGENCY	3-	Submits RTPA approved BTP to DLAE by March 1, 1996.
DLAE	4-	Submits RTPA approved BTP to the Caltrans Headquarters Office of Local Programs (OLP) - Bicycle Facilities Unit (BFU).
BFU	5-	Logs in BTP.
BFU	6-	Reviews BTP and approves or comments on deficiencies
BFU	7-	Notifies District of approval or comments on the BTP.
		a. Keeps approved BTP on file for referral and notifies District of approval; or
		b. Notifies District that BTP not approved and of comments made.
DISTRICT	8-	a. Notifies agency of BTP approval; or
		b. Notifies agency that BTP not approved - agency to address comments and begin process again.

Note: Final approval date for all BTPs by BFU is July 1, 1996

LOCAL AGENCY	Notifies DLAE of any modifications, revisions and updates to their BTP
DISTRICT	Forwards BTP modifications, revisions and updates to BFU as they occur.

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BICYCLE LANE ACCOUNT (BLA)

PROJECT PROPOSAL, REVIEWS, AGREEMENT, PS&E AND PAYMENT PROCEDURES

RESPONSIBILITY	ACTION
BFU	1 - Develops and sends BLA information to DLAEs and puts the BLA information on the Internet(August)
DISTRICT	2 - Sends BLA application information to those local agencies without Internet access.
AGENCY	3 - Completes BLA application and sends it to BFU by December 31. Projects that were on prior year stand-by lists have to reapply.
BFU	4 - Reviews applications/projects for bicycle commuter value and determines if projects comply with the California Bicycle Transportation Act. Evaluates applications and prepares the statewide priority list.
	5 - Consults with Accounting and determines funds available for programming
	6 - Determines by March 1 which projects will be funded
	7 - Notifies applicants and DLAEs which projects were funded, which were included on the stand-by list for possible future funding, and which were rejected. Assigns BLA numbers to selected projects
	8 - Prepares two agreements for each funded project
	9 - Sends agreements to Local Programs Accounting (LPA)
LPA	10 - Certifies that funds are available to finance the Bicycle Lane Account share of the project cost. Returns agreements to BFU.
BFU	11 - Forwards agreements to local agency for signature and governing body resolution
AGENCY	12 - Signs individual project agreements, processes resolution, and forwards both copies of the agreement and resolution to the BFU by June 1 of the calendar year the BLA projects are programmed. (See Chapter 4 "Agreements" in the Local Assistance Procedures Manual for additional information on agreements.
BFU	13 - Signs both copies of the agreement, process one copy and sends the other to DLAE to forwarding to local agency.
AGENCY	14 - Completes Plans , Specification and Estimate (PS&E). Completes PS&E certification (see Chapter 17 PS&E of the Local Assistance Procedures Manual) certifying that their PS&E package complies with the requirements of the Caltrans Highway Design Manual, Chapter 1000, and sends Certification to BFU.

BLA Project Development Procedures

- | | | |
|------------|------|--|
| | 15 - | Awards construction contract by December 31, or request a time extension from BFU. Time extensions should be requested as soon as possible so as to assure time extension is approved. |
| BFU | 16 - | Approves or denies request for time extension and notifies local agency. If the request is denied, the agreement will be voided, and the funds will be programmed to a project on the stand-by list. |
| AGENCY | 17 - | Monitors project construction. Accepts completed project. Send final invoice and requests final payment from BFU. |
| BFU | 18 - | Notifies DLAE of project completion, and requests DLAE to do completion review of the project. |
| District | 19 - | Reviews project site to ensure it was completed in accordance with approved project proposal and agreement.

Notifies BFU that project was completed in accordance with approved project proposal and agreement, or:

Rejects the project and notifies the local agency reasons for the rejection. Coordinates final project site review with local agency until project is accepted and notifies BFU. |
| BFU | 20 - | Reviews and approves submitted invoice and sends it to Accounting with request for payment to local agency |
| ACCOUNTING | 21 - | Authorizes State Controller's Office to make out check to reimburse agency |
| CONTROLLER | 22 - | Makes payment to agency |

BICYCLE LANE ACCOUNT PROJECT EVALUATION SHEET

Project Description:

Location:

Length:

Total Cost:

BLA Funds:

Local Funds:

Other Funds:

Participation %:

PROJECT SCREENING CRITERIA

Please ensure that the following information is included in the applications:

	YES	NO
1. A Bicycle Transportation Plan (BTP) adopted by the applicant and approved by the Regional Transportation Planning Agency and the Caltrans Office of Local Programs (OLP).		
2. The estimated project cost, showing the cost of preliminary and construction engineering, right-of-way acquisition, and construction.		
3. A map with north arrow and scale, showing the project location and project limits if appropriate?		
4. For bikeway projects, a set of plans with a typical cross-section. For other projects, a description of the specific improvements the project will construct. Bikeway designs must comply with Chapter 1000 of the Highway Design Manual (Bikeway Planning and Design).		
5. A resolution certifying the availability of local funds for the required 10 percent local share of the project cost, part of the resolution approving the agreement.		
6. Certification that the applicant has obtained the appropriate environmental clearance for the project.		

PROJECT EVALUATION CRITERIA

Has the applicant demonstrated that this project:

	YES	NO
1. Will be used mostly by bicycle commuters?		
2. Has the potential to increase bicycle commuting?		
3. Is the best alternative for this situation?		
4. Will improve continuity with existing bikeways?		
5. Will provide a direct route to activity centers such as schools, employment centers, shopping, etc.?		
6. Is consistent with the Bicycle Transportation Plan?		
7. Can't be funded by other Federal, State or local funding sources?		

If yes, please specify alternate funding sources discussed in application: _____

End

SENATE BILL NO. 1095**CHAPTER 517**

An act to add Chapter 8 (commencing with Section 885) to Division 1 of, to repeal Article 3.5 (commencing with Section 156) of Chapter 1 of Division 1 of, and to repeal Chapter 8 (commencing with Section 2370) of Division 3 of, the Streets and Highways Code, and to amend Sections 21207 and 21211 of the Vehicle Code, relating to nonmotorized transportation.

(Approved by Governor September 26, 1993. Filed with Secretary of State September 27, 1993.)

The people of the State of California do enact as follows:

SECTION 1. Article 3.5 (commencing with Section 156) of Chapter 1 of Division 1 of the Streets and Highways Code is repealed.

SECTION 2. Chapter 8 (commencing with Section 885) is added to Division 1 of the Streets and Highways Code, to read:

CHAPTER 8. NONMOTORIZED TRANSPORTATION**Article 1. General Provisions**

885. The Legislature hereby finds and declares that traffic congestion, air pollution, noise pollution, public health, energy shortages, consumer costs, and land-use considerations resulting from a primary reliance on the automobile for transportation are each sufficient reasons to provide for multimodal transportation systems.

885.2. The Legislature finds and declares all of the following:

- a) California's bicycle programs have not been fully developed or funded.
- b) The Legislature and Congress have enacted laws to reduce traffic congestion and improve air quality.
- c) The components of a successful bicycle program include engineering and design of safe facilities, education of bicyclists, and the motoring public on lawful use of the highways, and enforcement of traffic laws.
- d) Efforts to improve safety and convenience for nonmotorized transportation users are a proper use of transportation funds.
- e) The design and maintenance of many of our bridges and highways present physical obstacles to use by bicycles.
- f) The bicycle is a legitimate transportation mode on public roads and highways.
- g) Bicycle transportation can be an important, low-cost strategy to reduce reliance on the single-passenger automobile and can contribute to a reduction in air pollution and traffic congestion.

886. There is in the department a bicycle facilities coordinator who is responsible for the administration of bicycle-related activities of the department.

Article 2. Nonmotorized Transportation Facilities

887. As used in this chapter, "nonmotorized transportation facility" means a facility designed primarily for the use of pedestrians, bicyclists, or equestrians. It may be designed primarily for one or more of those uses.

887.2. The department, in cooperation with local agencies, shall publish a statewide map illustrating state highway routes available for the use of bicyclists and, where bicyclists are prohibited from using a state highway, illustrating, in such a case, safe, alternate routes available to the bicyclist.

887.4. Prior to December 31 of each year, the department shall prepare and submit an annual report to the Legislature summarizing programs it has undertaken for the development of nonmotorized transportation facilities, including a summary of major and minor projects. The report shall document all state funding for bicycle programs, including funds from the Bicycle Lane Account, the Transportation Planning and Development Account, and the Clean Air Transportation Improvement Act. The report shall also summarize the existing directives received the department from the Federal Highway Administration concerning the availability of federal funds for the programs together with an estimate of the fiscal impact of the federal participation in the programs.

887.6. Upon the request of a public agency, as defined by Section 6500 of the Government Code, the department may enter into an agreement with the agency for the construction and maintenance of nonmotorized transportation facilities which generally follow a state highway right-of-way where the department has determined that the facility will improve safety and convenience for bicyclists.

The department's contribution, if any, to the cost of constructing the nonmotorized facilities shall be based upon a finding that the traffic safety or capacity of the highway will be increased. The agreements may provide for the handling and accounting of funds, the acquisition or conveyance of right-of-way, maintenance, and any other phase of the project.

887.8. a) After consulting with the law enforcement agency having primary traffic law enforcement responsibility with respect to the state highway, the department may construct and maintain nonmotorized transportation facilities approximately paralleling that highway.

b) Where the traffic safety or capacity of the highway would be increased, the department shall pay for the construction and maintenance of nonmotorized transportation facilities approximately paralleling the highway.

c) The Legislature finds and declares that the construction and maintenance of nonmotorized transportation facilities constitute a highway purpose under Article XIX of the California Constitution, and justify the expenditure of highway funds and the exercise of the power of eminent domain therefor.

888. The department shall not construct a state highway as a freeway that will result in the severance or destruction of an existing major route for nonmotorized transportation traffic and light motorcycles, unless it provides a reasonable, safe, and convenient alternate route or such a route exists.

888.2. The department shall also incorporate nonmotorized transportation facilities in the design of freeways on the state highway system along corridors where nonmotorized facilities do not exist, upon a finding that the facilities would conform to the California Recreational Trails System Plan specified in Section 5070.7 of the Public Resources Code or upon a finding, following a public hearing, that the facilities would conform to the master plans of local agencies for the development of nonmotorized facilities and would not duplicate existing or proposed routes, and that community interests would be enhanced by the construction of the facilities.

The department shall establish an annual priority list of projects to be funded pursuant to this section, which shall primarily benefit bicyclists rather than other highway users.

888.4. Each annual budget prepared pursuant to Section 165 shall include an amount of not less than three hundred sixty thousand dollars (\$360,000) for the construction of nonmotorized transportation facilities to be used in conjunction with the state highway system.

888.8. The department may enter into any agreements, execute any documents, establish and manage any accounts or deposits, or take any other action that may be appropriate to receive and expend funds from the federal government in connection with state or local agency bicycle programs and nonmotorized transportation projects for which federal funds are available. The department may undertake demonstration projects and perform technical studies.

Article 3. California Bicycle Transportation Act

890. It is the intent of the Legislature, in enacting this article, to establish a bicycle transportation system. It is the further intent of the Legislature that this transportation system shall be designed and developed to achieve the functional commuting needs of the employee, student, business person, and shopper as the foremost consideration in route selection, to have the physical safety of the bicyclist and bicyclist's property as a major planning component, and to have the capacity to accommodate bicyclists of all ages and skills.

890.2. As used in this chapter, "bicycle" means a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having either two or three wheels in a tandem or bicycle arrangement.

890.3. As used in this article, "bicycle commuter" means a person making a trip by bicycle primarily for transportation purposes, including, but not limited to, travel to work, school, shopping, or other destination that is a center of activity, and does not include a trip by bicycle primarily for physical exercise or recreation without such a destination.

890.4. As used in this article, "bikeway" means all facilities that provide primarily for bicycle travel. For purposes of this article, bikeways shall be categorized as follows:

a) Class I bikeways, such as a "bike path," which provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.

b) Class II bikeways, such as a "bike lane," which provide a restricted right-of-way designated for the exclusive or semiexclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.

c) Class III bikeways, such as an onstreet or offstreet "bike route," which provide a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists.

890.6. The department, in cooperation with county and city governments, shall establish minimum safety design criteria for the planning and construction of bikeways and roadways where bicycle travel is permitted. The criteria shall include, but not be limited to, the design speed of the facility, minimum widths and clearances, grade, radius of curvature, pavement surface, actuation of automatic traffic control devices, drainage, and general safety. The criteria shall be updated biennially, or more often, as needed.

890.8. The department shall establish uniform specifications and symbols for signs, markers, and traffic control devices to designate bikeways, regulate traffic, improve safety and convenience for bicyclists, and alert pedestrians and motorists of the presence of bicyclists on bikeways and on roadways where bicycle travel is permitted.

891. All city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted shall utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to Sections 890.6 and 890.8.

891.2. A city or county may prepare a bicycle transportation plan, which shall include, but not be limited to, the following elements:

a) The estimated number of existing bicycle commuters in the plan area and the estimated increase in the number of bicycle commuters resulting from implementation of the plan.

b) A map and description of existing and proposed land use and settlement patterns which shall include, but not be limited to, locations of residential neighborhoods, schools, shopping centers, public buildings, and major employment centers.

c) A map and description of existing and proposed bikeways.

d) A map and description of existing and proposed end-of-trip bicycle parking facilities. These shall include, but not be limited to, parking at schools, shopping centers, public buildings, and major employment centers.

e) A map and description of existing and proposed bicycle transport and parking facilities for connections with and use of other transportation modes. These shall include, but not be limited to, parking facilities at transit stops, rail and transit terminals, ferry docks and landings, park and ride lots, and provisions for transporting bicyclists and bicycles on transit or rail vehicles or ferry vessels.

f) A map and description of existing and proposed facilities for changing and storing clothes and equipment. These shall include, but not be limited to, locker, restroom, and shower facilities near bicycle parking facilities.

g) A description of bicycle safety and education programs conducted in the area included within the plan, efforts by the law enforcement agency having primary traffic law enforcement responsibility in the area to enforce provisions of the Vehicle Code pertaining to bicycle operation, and the resulting effect on accidents involving bicyclists.

h) A description of the extent of citizen and community involvement in development of the plan, including, but not limited to, letters of support.

i) A description of how the bicycle transportation plan has been coordinated and is consistent with other local or regional transportation, air quality, or energy conservation plans, including, but not limited to, programs that provide incentives for bicycle commuting.

j) A description of the projects proposed in the plan and a listing of their priorities for implementation.

k) A description of past expenditures for bicycle facilities and future financial needs for projects that improve safety and convenience for bicycle commuters in the plan area.

891.4. a) A city or county that has prepared a bicycle transportation plan pursuant to Section 891.2 may submit the plan to the county transportation commission or transportation planning agency for approval. The city or county may submit an approved plan to the department in connection with an application for funds for bikeways and related facilities which will implement the plan. If the bicycle transportation plan is prepared, and the facilities are proposed to be constructed, by a local agency other than a city or county, the city or county may submit the plan for approval and apply for funds on behalf of the local agency.

b) The department may grant funds applied for pursuant to subdivision (a) on a matching basis which provides for the applicant's furnishing of funding for 10 percent of the total cost of constructing the proposed bikeways and related facilities. The funds may be used, where feasible, to apply for and match federal grants or loans.

891.8. The governing body of a city, county, or local agency may do all of the following:

a) Establish bikeways.

b) Acquire, by gift, purchase, or condemnation, land, real property, easements, or rights-of-way to establish bikeways.

c) Establish bikeways pursuant to Section 21207 if the Vehicle Code.

892. a) Rights-of-way established for other purposes by cities, counties, or local agencies shall not be abandoned unless the governing body determines that the rights-of-way or parts thereof are not useful as a nonmotorized transportation facility.

b) No state highway right-of-way shall be abandoned until the department first consults with the local agencies having jurisdiction over the areas concerned to determine whether the right-of-way or part thereof could be developed as a nonmotorized transportation facility. If an affirmative determination is made before abandoning the right-of-way, the department shall first make the property available to local agencies for development as nonmotorized transportation facilities in accordance with Sections 104.15 and 887.6 of this code and Section 14012 of the Government Code.

892.2. The Bicycle Lane Account is continued in existence in the State Transportation Fund, and, notwithstanding Section 13340 of the Government Code, the money in the account is continuously appropriated to the department for expenditure for the purposes specified in Section 892.4. Unexpended moneys shall be retained in the account for use in subsequent fiscal years.

892.4. The department shall allocate and disburse moneys from the Bicycle Lane Account according to the following priorities:

a) To the department, the amounts necessary to administer this article, not to exceed 1 percent of the funds expended per year.

b) To counties and cities, for bikeways and related facilities, planning, safety and education, in accordance with Section 891.4.

892.5. The Bikeway Account, created in the State Transportation Fund by Chapter 1235 of the Statutes of 1975, is continued in effect, and, notwithstanding Section 13340 of the Government Code, money in the account is hereby continuously appropriated to the department for expenditure for the purposes specified in this chapter. Unexpended money shall be retained in the account for use in subsequent fiscal years.

892.6. The Legislature finds and declares that the construction of bikeways pursuant to this article constitutes a highway purpose under Article XIX of the California Constitution and justifies the expenditure of highway funds therefor.

893. The department shall disburse the money from the Bicycle Lane Account pursuant to Section 891.4 for projects that improve the safety and convenience of bicycle commuters, including, but not limited to, any of the following:

a) New bikeways serving major transportation corridors.

b) New bikeways removing travel barriers to potential bicycle commuters.

- c) Secure bicycle parking at employment centers, park-and-ride lots, rail and transit terminals, and ferry docks and landings.
- d) Bicycle-carrying facilities on public transit vehicles.
- e) Installation of traffic control devices to improve the safety and efficiency of bicycle travel.
- f) Elimination of hazardous conditions on existing bikeways.
- g) Planning.
- h) Improvement and maintenance of bikeways.

In recommending projects to be funded, due consideration shall be given to the relative cost-effectiveness of proposed projects.

893.2. The department shall not finance projects with the money in accounts continued in existence pursuant to this article which could be financed appropriately pursuant to Article 2 (commencing with Section 887), or fully financed with federal financial assistance.

893.4. If available funds are insufficient to finance completely any project whose eligibility is established pursuant to Section 893, the project shall retain its priority for allocations in subsequent fiscal years.

893.6. The department shall make a reasonable effort to disburse funds in general proportion to population. However, no applicant shall receive more than 25 percent of the total amounts transferred to the Bicycle Lane Account in a single fiscal year.

894. The department may enter into an agreement with any city or county concerning the handling and accounting of the money disbursed pursuant to this article, including, but not limited to, procedures to permit prompt payment for the work accomplished.

894.2. The department, in cooperation with county and city governments, shall adopt the necessary guidelines for implementing this article.

SEC. 3. Chapter 8 (commencing with Section 2370) of Division 3 of the Streets and Highways Code is repealed.

SEC. 4. Section 21207 of the Vehicle Code is amended to read:

21207. a) This chapter does not prohibit local authorities from establishing, by ordinance or resolution, bicycle lanes separated from any vehicular lanes upon highways, other than state highways as defined in Section 24 of the Streets and Highways Code and county highways established pursuant to Article 5 (commencing with Section 1720) of Chapter 9 of Division 2 of the Streets and Highways Code.

b) Bicycle lanes established pursuant to this section shall be constructed in compliance with Section 891 of the Streets and Highways Code.

SEC. 5. Section 21211 of the Vehicle Code is amended to read:

21211. (a) No person shall stop, stand, sit, or loiter upon any class I bikeway, as defined in subdivision (a) of Section 890.4 of the Streets and Highways Code, or any other public or private bicycle path or trail, if the stopping, standing, sitting, or loitering impedes or blocks the normal and reasonable movement of any bicyclist.

b) No person shall place or park any bicycle, vehicle, or any other object upon any bikeway or bicycle path or trail, as specified in subdivision (a), which impedes or blocks the normal and reasonable movement of any bicyclist unless the placement or parking is necessary for safe operation or is otherwise in compliance with the law.

c) This section does not apply to drivers or owners of utility or public utility vehicles, as provided in Section 22512.

d) This section does not apply to owners or drivers of vehicles who make brief stops while engaged in the delivery of newspapers to customers along the person's route.

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